

Message Text

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PAGE 01 CANBER 03898 010804Z
ACTION DLOS-09

INFO OCT-01 EA-09 ISO-00 ACDA-10 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 EPG-02 COME-00 DODE-00
DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00 H-02
INR-07 INT-05 IO-14 JUSE-00 L-03 NSAE-00 NSC-05
NSF-02 OES-07 OMB-01 PA-02 PM-04 PRS-01 SP-02
SS-15 USIA-15 /143 W
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R 010610Z JUN 77
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC 0553

UNCLAS CANBERRA 3898

DEPARTMENT PLEASE REPEAT AS APPROPRIATE

E.O. 11652: N/A
TAGS: SENV, IWC-1, AS
SUBJ: TWENTY-NINTH MEETING OF IWC - AUSTRALIAN PAPER
ON 200 MILE ZONE

REF: (A) CANBERRA 3868 (B) CANBERRA 3817 (C) STATE 113772

1. AS PROMISED IN REFTEL B, FOLLOWING IS TEXT OF AUSTRALIAN
PAPER ON 200 MILE ZONE ENTITLED "REVISION OF THE INTERNATIONAL
CONVENTION FOR THE REGULATION OF WHALING:"

"1. AT THE UNITED NATIONS LAW OF THE SEA THIRD CONFERENCE
A DRAFT CONVENTION HAS BEEN DEVELOPED CURRENTLY KNOWN AS
THE REVISED SINGLE NEGOTIATING TEXT (RSNT). THIS TEXT
INCLUDES PROVISIONS FOR THE REGULATION BY THE COASTAL STATE
OF FISHING FOR HIGHLY MIGRATORY SPECIES IN ITS EXCLUSIVE
ECONOMIC ZONE. THESE ARE CONTAINED IN ARTICLE 53 OF
PART II AND AN ANNEX TO INCLUDE THE SPECIES TO BE COVERED.
IN THE EARLIER SESSIONS OF THE THIRD CONFERENCE THE ANNEX
INCLUDED CETACEA.

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"2. A NEW ARTICLE 54 HAS BEEN INCLUDED IN THE RSNT (IT
REFLECTS PART OF THE PREVIOUS ARTICLE 53) AND STATES:
'NOTHING IN THE PRESENT CONVENTION RESTRICTS THE RIGHT
OF A COASTAL STATE OR INTERNATIONAL ORGANIZATION, AS
APPROPRIATE, TO PROHIBIT, REGULATE AND LIMIT THE
EXPLOITATION OF MARINE MAMMALS. STATES SHALL

CO-OPERATE EITHER DIRECTLY OR THROUGH APPROPRIATE
INTERNATIONAL ORGANIZATIONS WITH A VIEW TO THE
PROTECTION AND MANAGEMENT OF MARINE MAMMALS'.

"3. ARTICLE 54 DOES NOT SPECIFICALLY EXCLUDE THE POSSIBILITY
OF THE INTERNATIONAL WHALING COMMISSION (I.W.C.) CONTINUING
TO MANAGE WHALING WITHIN EXCLUSIVE ECONOMIC ZONES BUT IT
DOES GIVE THE COASTAL STATE THE UNFETTERED RIGHT 'TO
PROHIBIT, REGULATE AND LIMIT THE EXPLOITATION OF MARINE
MAMMALS'.

"4. THERE ARE TWO QUESTIONS WHICH COMMISSIONERS MIGHT
CONSIDER:

- (A) SHOULD COMMISSIONERS TAKE UP WITH THEIR GOVERNMENTS
THE POSSIBILITY OF NOT EXERCISING COASTAL STATE CONTROLS
IN RESPECT OF WHALES MANAGED BY THE I.W.C?
- (B) SHOULD MEMBER COUNTRIES OF THE I.W.C. AGREE TO EXERCISE
MANAGEMENT CONTROLS RECOMMENDED BY THE I.W.C. THROUGH
THEIR NATIONAL LEGISLATION?

"5. IN ADDITION TO THESE TWO QUESTIONS WHICH MEMBER
GOVERNMENTS MIGHT CONSIDER THERE IS THE OBVIOUS RESULT
FLOWING FROM ARTICLE 54 THAT NON-MEMBER COUNTRIES INVOLVED
IN WHALING HAVE NO REQUIREMENT PLACED ON THEM TO PARTICIPATE
IN THE APPROPRIATE INTERNATIONAL ORGANIZATION, I.E. THE
I.W.C. SETTING ASIDE THE QUESTION OF WHALING ACTIVITIES
WITHIN 200 MILES OF ANTARCTICA, THE MAJORITY OF WHALING
ACTIVITY IS CARRIED OUT IN PROSPECTIVE 200 MILE ZONES.

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ZYM IT IS THEREFORE OF CRITICAL IMPORTANCE TO THE FUTURE
ROLE OF THE I.W.C. THAT MEMBER GOVERNMENTS GIVE SERIOUS
CONSIDERATION TO THE TWO QUESTIONS RAISED IN PARAGRAPH 4.
RESPONSES TO THESE QUESTIONS WILL BEAR HEAVILY ON THE SHAPE
OF A NEW OR REVISED INTERNATIONAL WHALING CONVENTION.
END QTE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
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Handling Restrictions: n/a
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